

FRANKFORT/FRANKLIN COUNTY BOARD OF ZONING ADJUSTMENTS
October 7, 2008

Chairman Mitch Buchanan called the meeting to order at 5:30 p.m.
Recording Secretary Dawn McDonald called the roll.

MEMBERS PRESENT:	Mitch Buchanan
	William Gross
	Michael Turner
	Barry Holder
	Martha Booth

MEMBERS ABSENT:	Ryan Sell
	David Jones

Chairman Mitch Buchanan called the meeting to order, introduced staff and swore in the staff and audience.

The first item of business was approval of the September 2, 2008 minutes. Mr. Gross made a motion to approve the minutes. The motion was seconded by Mr. Holder and carried unanimously.

The next item of business was a request from Quest Community Church for a waiver of Article 11.20 to allow a fascia sign on the face of the building which adjoins residentially zoned land for the property located at 2250 Lawrenceburg Road, zoned "CL" Limited Commercial District.

Eric Cockley, Franklin County Staff Planner was present for the staff report. Mr. Cockley went over a slide show as he detailed the property and project. He stated there were no positive findings and recommended denial of the application, but suggested the owner might apply for an "Interstate Business Sign".

Scott was present on behalf of the Church and mentioned that the main campus is in Lexington and that they recently took over this property and they want a sign that will be visible from the north of the property. He stated that they initially wanted the sign on the west face of the building but the view was blocked by large trees on the property that they would like to keep. He mentioned that the sign would be 42 sq. ft. with the logo, logo and name, or just the name.

After discussion, Mr. Holder made a motion to deny the request from Quest Community Church at 2250 Lawrenceburg Road allowing a fascia sign on the face of the building. The motion was seconded by Mr. Turner and carried unanimously.

The next item of business was a request from Aretha Smith for approval of a Conditional Use Permit to operate a two chair barber salon at 529 Holmes Street, zoned "IC" Limited Commercial District.

Maya DeRosa, City of Frankfort Planning Supervisor was present for the staff report. She went over a slide show as she detailed the property and application. She mentioned that history shows that there was an electric inspection at this location in 2001 and the use was a “barber shop”, however there was no Conditional Use Permit on file. In August 2008 the applicant applied for a business license that was denied and the applicant was advised that the barber shop needed a Conditional Use Permit. Ms. DeRosa stated that the findings were positive and staff recommended approval with conditions.

The applicant Aretha Smith was present and stated that she had nothing further to add and that she agreed with the conditions.

Ms. Booth made a motion to approve the Conditional Use Permit for a 2 chair barber shop at 529 Holmes Street with the following conditions: 1) the conditional use is permitted for the property located at 529 Holmes Street; 2) the conditional use is granted only to Handy Market Inc., property owner and subsequent tenants; 3) the conditional use is not transferable and any change in ownership or use will make this approval null and void; 4) the conditional use is only for a two chair barber shop located at 529 Holmes Street; 5) street address for the building associated with this CUP shall be properly placed within 30 days of the approval of this request; 6) any other land use that requires a conditional use permit shall be submitted to the Board of Zoning Adjustments prior to the change of use; and 7) an approved Business License is required before occupying use. The motion was seconded by Mr. Gross and carried unanimously.

The next item of business was a request from Brenda Crosman for approval of a variance to allow a six foot fence within the front yard setback for the property located at 1207 Equestrian Way, zoned “RB” Single Family Residential Suburban Density District.

Ms. DeRosa was present for the staff report and she mentioned that this house is on a corner lot therefore it has two front yards. She mentioned that the regulations limit fences in the front yard to a height of 4’. She stated that the fence panels are 5’10” tall and that if the fence was moved back 25’ it would be in compliance. Ms. DeRosa stated that there are no issues with the site lines the issue is only with the size and location. She stated that the owners could also reduce the height of the fence in front yard and be in compliance as well. Staff found negative findings and recommended denial of the request.

The applicant Brenda Crosman was present and stated that they would have obtained a permit but that Lowe’s told them a permit was not necessary. She stated that her back yard drops off dramatically and that lowering the fence would not keep her grandchildren safe, because they could simply step over the fence. She stated that backing the fence up the 25’ would take away from the only flat space she has in her back yard for her grandkids to play in. She also mentioned that moving the fence would be a great expense because each post has to be removed and they get destroyed in the process.

She stated that she has talked with the installer and they haven't offered anything to remedy the situation. She passed out some pictures that showed the grade of her yard and how moving the fence or lowering the fence would not accomplish her goals of safety for her grandchildren and privacy from the neighbors. She mentioned that the neighborhood has all kinds of fences and that she does not believe this will degrade the neighborhood in anyway.

Ben Schrader of 1206 Equestrian Way was present and stated that he would like to see the fence stay because it has slowed the traffic forcing them to stop at stop signs instead of just flying thru them.

Isle Dickerson was present from the neighborhood and stated her opposition to the fence.

After discussion, Mr. Buchanan made a motion to deny the request for variance to allow a 6' privacy fence in the front yard. The motion was seconded by Mr. Holder and carried unanimously.

Mr. Holder made a motion to adjourn. The motion was seconded by Ms. Booth and carried unanimously.

Adjourn